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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Duc V. Ho et al.

Serial No.: 10/797,240

Filed: March 10, 2004

For: METHOD AND APPARATUS
FOR ACHIEVING LOW POWER
CONSUMPTION DURING POWER
DOWN

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Group Art Unit: 2827

Examiner: Le, Thong Q.

Atty Docket: MICS:0120/FLE
03-0231

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

March 2, 2006
Date

Kerri Hyland
Kerri Hyland

Sir:

**PETITION UNDER 37 C.F.R. § 1.181(a)
TO WITHDRAW HOLDING OF ABANDONMENT**

This Petition is being filed in response to the Notice of Abandonment mailed on November 29, 2005 (Exhibit 1). The Notice states that the above-referenced application has been abandoned for failure to timely pay the issue fee and publication fee. In view of the remarks set forth below, Applicants respectfully request withdrawal of the Notice of Abandonment.

On August 26, 2005, Applicants submitted the Transmittal Letter for Submission of Issue Fee and Part-B Fee(s) Transmittal authorizing the Director to charge the required issue and publication fees for the above-referenced application (Exhibit 2). A postcard evidencing the mailing of these documents was stamped by the Patent Office as received on August 29, 2005 (Exhibit 3).

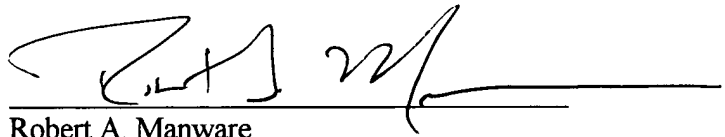
In view of these facts, a proper reply to the Notice of Allowance mailed on May 27, 2005 was filed in a timely manner, so the above-referenced application was not abandoned and should not now

be considered abandoned. Accordingly, it is respectfully requested that the attached documents be accepted and entered into the file for the above-referenced application. It is further respectfully requested that the Commissioner withdraw the Notice of Abandonment and reinstate the application.

It is not believed that any fees are required for filing this Petition due to the mistake being on the part of the Patent Office. However, the Commissioner is authorized to charge Deposit Account No. 13-3092; Order No. MICS:0120 (03-0231) for any fees which may be required.

Respectfully submitted,

Date: March 2, 2006



Robert A. Manware
Reg. No. 48,758
FLETCHER YODER
P.O. Box 692289
Houston, Texas 77269-2289
(281) 970-4545



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10 797 240	03/10/2004	Duc V. Ho	MICS:0120 (03-0231)	2999

7590 11/29 2005
Michael G. Fletcher
Fletcher Yoder
P.O. Box 692289
Houston, TX 77269-2289

EXAMINER

L.E. THONG QUOC

ART UNIT	PAPER NUMBER
2827	

DATE MAILED: 11/29/2005

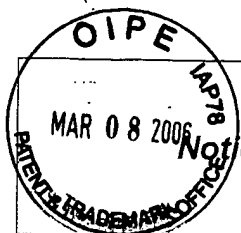
Please find below and/or attached an Office communication concerning this application or proceeding.

Abandonment
DOCKETED
FOR 1/29/2006
BY n 12/2
CHECK'D BY KH 12/4

RECEIVED

DEC 01 2005

Fletcher Yoder



Notice of Abandonment

Application No.

10/797,240

Examiner

Le

Applicant(s)

Ho

Art Unit

2827

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☒ The submitted fee of \$0 is insufficient. A balance of \$1700 is due.
The issue fee required by 37 CFR 1.18 is \$1400. The publication fee, if required by 37 CFR 1.18(d), is \$300.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

lgd

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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Serial No.: 10/797,240

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Group Art Unit: 2827

Examiner: Le, Thong Q.

Atty Docket: MICS:0120/FLE
03-0231

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

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August 26, 2005

Date

Kerri Hyland

Kerri Hyland

Sir:

TRANSMITTAL LETTER FOR SUBMISSION OF ISSUE FEE

In response to the Notice of Allowance and Fee(s) Due mailed May 27, 2005, the Commissioner is authorized to charge the requisite fee of \$1,400.00 for the issue fee, \$300.00 for the publications fee, \$3.00 for one soft copy of the patent, and any additional fees which may be required to Deposit Account No. 13-3092; Order No. MICS:0120/FLE(03-0231).

Respectfully submitted,

Date: August 26, 2005

Robert A. Manware

Robert A. Manware

Reg. No. 48,758

FLETCHER YODER

P.O. Box 692289

Houston, TX 77269-2289

(281) 970-4545

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

05/27/2005

Michael G. Fletcher
 Fletcher Yoder
 P.O. Box 692289
 Houston, TX 77269-2289

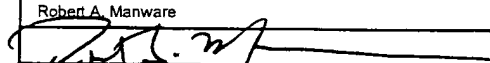
Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Robert A. Manware

(Depositor's name)



(Signature)

August 26, 2005

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,240	03/10/2004	Duc V. Ho	MICS:0120 (03-0231)	2999

TITLE OF INVENTION: METHOD AND APPARATUS FOR ACHIEVING LOW POWER CONSUMPTION DURING POWER DOWN

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	08/29/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
LE, THONG QUOC	2827	365-189110

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 FLETCHER YODER

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Micron Technology, Inc.

Boise, ID

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee☒ Publication Fee (No small entity discount permitted)☒ Advance Order - # of Copies 1

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.

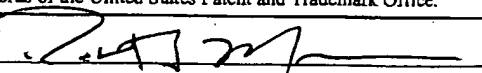
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 13-3092 Order No. 03-0231/FLE (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature



Date August 26, 2005

Typed or printed name

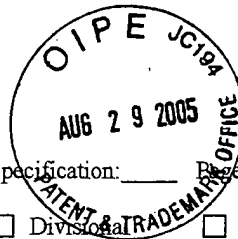
Robert A. Manware

Registration No. 48,758

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Please indicate receipt of
the below-identified paper:



- ☐ New Application ☐ Specification: _____ Pages; Drawings: _____ Sheets
☐ Continuation ☐ Divisional ☐ CIP ☐ CPA
☐ Response to Office Action dated _____ ☐ Final Rejection
☒ Enclosed: Transmittal for Submission of Issue Fee: Part-B Fee(s) Transmittal: Postcard
☐ Assignment enclosed ☒ Cert. Of Timely Mailing ☐ Express Mail

Identification of Application:

Serial No. 10/797,240

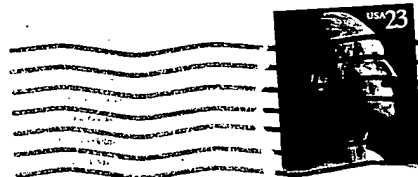
Title Method and Apparatus for Achieving Low Power Consumption During Power Down

Applicant Duc V. Ho et al.

Client Micron Technology, Inc.

File No. MICS:0120 (03-0231) Attorney FLE/MAN

Mailed August 26, 2005



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Fletcher Yoder

FLETCHER YODER

PO Box 692289
HOUSTON, TEXAS 77269-2289

